IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FOURTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NOS : 471 of 2001 and 6048 of 2003.

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W.P.NO.471 OF 2001.

Between:

M. Samson Raju, S/o. Sri Luther,
R/o. 3B -- 20 -- 9, Kandakam Street,
Eluru --- 534 001.

..... PETITIONER

AND

1 The Commissioner,
Collegiate Education, Hyderabad,
Andhra Pradesh.
2 The Secretary and Correspondent,
Kotikalapudi Govinda Rao Lutheran College, Bhimavaram,
West Godavari District -- 534 201.
3 The Regional Joint Director,
Rajahmundry.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order more particularly one in the nature of Writ of Mandamus by declaring the action of respondents in not passing any order on my representation dated 06/11/2000 as illegal, arbitrary and violative of principles of natural justice and consequently direct the respondents to consider the representation of the petitioner and pass

Counsel for the Petitioner: MR.K.V.SIMHADRI

Counsel for the Respondent Nos. 1 & 3: G.P. FOR HIGHER EDUCATION

Counsel for the Respondent No.2: MR.M.RAMATIRTHA

W.P.NO.6048 OF 2003.

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Between:

M. Samson Raju, S/o. Sri Luther,
R/o. 3B -- 20 -- 9, Kandakam Street,
Eluru --- 534 001.

..... PETITIONER

AND

1 State of A.P. rep.. by its Prl.Secretary to Government,
Higher Education Department, Secretariat buildings,
Hyderabad,.
2 The Commissioner,
Collegiate Education, Hyderabad,
Andhra Pradesh.
3 The Secretary and Correspondent,
Kotikalapudi Govinda Rao Lutheran College, Bhimavaram,
West Godavari District -- 534 201.
4 The Regional Joint Director,
Rajahmundry.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order more particularly one in the nature of Writ of Mandamus by declaring the action of the 3rd respondent in rejecting the representation of the petitioner vide its letter dated 03-04-2001 as illegal, contrary to law and further declare the orders vide Memo No.15401/CE.II-1/2001-5, dated 26-07-2002 of the 1st respondent communicated through Proc.Rc.No.1564/Admn.III-1/2001 dated 03-09-2002 of the 2nd respondent on the appeal filed by the petitioner, as illegal arbitrary, contrary to law and consequently direct the respondents to continue the petitioner into service in the existing vacancy by treating his absence during the period from 12-11-1998 to 06-11-2000 as Extraordinary Leave under Special circumstances:

Or

In alternatively direct the respondents to pay all the terminal benefits including the pension, Gratuity etc., by considering the total length of service rendered by the petitioner including the un-aided service, as per the Amended Act 5 of 2002 which came into force with effect from 25-04-2000, issued by the 1st respondent.

Counsel for the Petitioner: MR.K.V.SIMHADRI

Counsel for the Respondent Nos. 1,2 & 4: G.P. FOR HIGHER EDUCATION

Counsel for the Respondent No.3: MR.M.RAMATIRTHA

The Court made the following :

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COMMON ORDER

The learned counsel for the petitioner filed a letter dated 28-02-2005 and seeks permission of this Court to withdraw the Writ Petitions. Permission is accorded.

Accordingly, the Writ Petitions are dismissed as withdrawn. No costs.

04-03-2005.

Hsd

Asst. Registrar

To

1 The Prl.Secretary to Government State of A.P.
Higher Education Department, Secretariat buildings,
Hyderabad,.
2 The Commissioner,
Collegiate Education, Hyderabad,
Andhra Pradesh.
3 The Secretary and Correspondent,
Kotikalapudi Govinda Rao Lutheran College, Bhimavaram,
West Godavari District -- 534 201.
4 The Regional Joint Director,
Rajahmundry.

5. 2 C.Cs to G.P. for Higher Education, High Court buildings
Hyderabad (OUT)

6. 2 C.D. copies.